

**Senior Policy Operating Group to Combat Trafficking in Persons
Draft Definition for “Recruitment Fees”**

“Recruitment fees” means—

- (1) Recruitment fees include but are not limited to the following fees, charges, or costs:**
 - a. for soliciting, identifying, considering, interviewing, referring, retaining, transferring, selecting, or placing potential employees;**
 - b. for covering the cost, in whole or in part, of advertising;**
 - c. for certifying labor applications;**
 - d. for processing petitions;**
 - e. for visas and any fee that facilitates an employee obtaining a visa such as appointment and application fees;**
 - f. for government-mandated costs such as border crossing fees;**
 - g. for procuring photographs and identity documentation, including any nongovernmental passport fees;**
 - h. fees charged as a condition of access to the job opportunity, including procuring medical examinations and immunizations and obtaining background, reference and security clearance checks and examinations; and**
 - i. for an employer’s recruiters, agents or attorneys, or other notary or legal fees.**
- (2) Any fee, charge, or cost may be a recruitment fee regardless of whether it is deducted from wages, paid back in wage or benefit concessions, paid back as a kickback, bribe or tribute, remitted in connection with recruitment, or collected by an employer or a third party, including but not limited to agents, recruiters, staffing firms (including private employment and placement firms), subsidiaries/affiliates of the employer and any agent or employee of such entities.**